

WPMB No. 886/2002

**Hon. P.C. Verma, J.**  
**Hon'ble M.M. Ghildiyal, J.**

Heard Sri Lok Pal Singh  
learned counsel for the petitioner  
and the learned Standing Counsel.

This petition has been filed  
by the petitioner seeking a writ of  
certiorari to quash the FIR dated  
8.12.2002 contained in annexure 1  
to the writ petition. A perusal of the  
FIR shows that it contains the  
offence alleged to have been  
committed by the petitioner under  
various sections of the I.P.C. The  
investigation is going on. Since the  
investigation is going on, therefore,  
we are not inclined to entertain this  
petition.

The petitioner shall appear on  
every day before the Investigating  
Officer and the Investigating  
Officer shall conduct the inquiry  
day to day till the inquiry is  
completed. However the petitioner  
shall not be taken into custody  
during the night. Till the credible  
material is not found with the I.O.  
the petitioner shall not be taken into  
custody.

The petition is dismissed  
with the above observations.

**(M.M. Ghildiyal, J.) (P.C. Verma, J.)**

14.12.2002  
MPS